

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WILLIAM RANDOLPH,

Plaintiff,

vs.

NAPH CARE, INC., et al.,

Defendants.

Case No. 2:11-cv-01704-JCM-NJK

**REPORT & RECOMMENDATION**

This matter is before the court on Plaintiff William Randolph's failure to comply with the Court's Orders (Dkt. #8 and Dkt. #11). On January 31, 2012, the Plaintiff was ordered to file a proof of service by May 30, 2012. (Dkt. #8). To date, the Plaintiff has not filed a proof of service. On July 8, 2013, the Court issued an Order to Show cause ordering the Plaintiff to show cause why sanctions should not be imposed for his failure to serve the complaint and summons upon the Defendants in the instant case, and to file proof of service. (Dkt. #11). The Order advised Plaintiff that failure to comply may result in a recommendation to the District Judge for dismissal. *Id.* Plaintiff has not complied or requested an extension of time in which to comply.

Accordingly,

**IT IS THE RECOMMENDATION** of the undersigned United States Magistrate Judge that the complaint be **DISMISSED**.

**IT IS FURTHER RECOMMENDED** that the Clerk of the Court enter judgment accordingly.

Dated this 8th day of August, 2013.

  
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**NANCY J. KOPPE**  
**UNITED STATES MAGISTRATE JUDGE**

**NOTICE**

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court. Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and recommendations of a magistrate judge shall file and serve *specific written objections* together with points and authorities in support of those objections, within fourteen days of the date of service of the findings and recommendations. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court’s Order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject to the page limitations found in LR 7-4.